

21 C.J.S. Courts § 18

Corpus Juris Secundum | May 2023 Update

Courts

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II. Jurisdiction of Courts

C. Jurisdiction of Subject Matter or Cause of Action

1. General Considerations

§ 18. Nature, necessity, and effect of subject matter jurisdiction

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Jurisdiction of the subject matter is the power to hear and determine cases of the general class to which the proceedings in question belong or of the particular type or category of case.

Jurisdiction does not, in every context, connote subject matter jurisdiction,¹ but the court's jurisdiction of the subject matter is a prerequisite of the court's power to decide a case,² together with jurisdiction of the person.³ Subject matter jurisdiction is distinct from jurisdiction of the person⁴ and standing or capacity to sue.⁵

Subject matter jurisdiction involves a court's jurisdiction over the subject matter of the controversy,⁶ without which the court cannot adjudicate the matter,⁷ and any decision, judgment, or other order without subject matter jurisdiction is, as a matter of law, void and of no effect.⁸

Subject matter jurisdiction is a matter of the court's power to hear and determine cases of the general class to which the proceedings belong⁹ or of the particular type¹⁰ or category of case.¹¹

Subject matter jurisdiction includes the court's power to render judgment,¹² to grant the particular relief requested,¹³ and to enforce the judgment.¹⁴

CUMULATIVE SUPPLEMENT

Cases:

A defendant's relationship with a third party, standing alone, is an insufficient basis for jurisdiction, even when the third party can bring claims similar to those brought by the nonresident. [Bristol-Myers Squibb Co. v. Superior Court of California, San Francisco County](#), 137 S. Ct. 1773 (2017).

Subject matter jurisdiction is a prerequisite for the exercise of judicial authority over any case or controversy. [Askew v. City of Kinston](#), 2022 -NCCOA- 900, 883 S.E.2d 85 (N.C. Ct. App. 2022).

[END OF SUPPLEMENT]

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Footnotes

- 1 U.S.—[Rockwell Intern. Corp. v. U.S.](#), 549 U.S. 457, 127 S. Ct. 1397, 167 L. Ed. 2d 190 (2007).
- 2 U.S.—[V.L. v. E.L.](#), 136 S. Ct. 1017 (2016).

Mich.—[In re Gerald L. Pollack Trust](#), 309 Mich. App. 125, 867 N.W.2d 884 (2015).

Minn.—[Federated Retail Holdings, Inc. v. County of Ramsey](#), 820 N.W.2d 553 (Minn. 2012).

N.C.—[In re J.H.](#), 780 S.E.2d 228 (N.C. Ct. App. 2015).

Tenn.—[Turner v. Turner](#), 473 S.W.3d 257 (Tenn. 2015).

Tex.—[TV Azteca v. Ruiz](#), 44 Media L. Rep. (BNA) 1443, 2016 WL 766927 (Tex. 2016).

As to the federal question jurisdiction of federal courts, see C.J.S., [Federal Courts](#) §§ 93 to 123.

As to the diversity jurisdiction of federal courts, see C.J.S., [Federal Courts](#) §§ 136 to 158.
- 3 § 44.
- 4 U.S.—[U.S. v. Morton](#), 467 U.S. 822, 104 S. Ct. 2769, 81 L. Ed. 2d 680 (1984).

- 5 U.S.—Chicago Title Land Trust Co. v. Potash Corp. of Saskatchewan Sales Ltd., 664 F.3d 1075 (7th Cir. 2011).

N.Y.—Mortgage Electronic Registration Systems, Inc. v. Orinthia Gifford, 133 A.D.3d 429, 20 N.Y.S.3d 9 (1st Dep't 2015).

Ohio—Sonis v. Rasner, 2015-Ohio-3028, 39 N.E.3d 871 (Ohio Ct. App. 8th Dist. Cuyahoga County 2015).

Standing as component of subject jurisdiction
Tex.—Lake v. Cravens, 2016 WL 1724469 (Tex. App. Fort Worth 2016).
- 6 Conn.—Bongiorno v. J & G, Realty, LLC, 162 Conn. App. 430, 131 A.3d 1230 (2016), certification denied, 320 Conn. 924, 2016 WL 1177349 (2016).

N.C.—Carpenter v. Carpenter, 781 S.E.2d 828 (N.C. Ct. App. 2016).

Tex.—TV Azteca v. Ruiz, 44 Media L. Rep. (BNA) 1443, 2016 WL 766927 (Tex. 2016).

Wyo.—Linch v. Linch, 2015 WY 141, 361 P.3d 308 (Wyo. 2015).
- 7 Ariz.—State v. Maldonado, 223 Ariz. 309, 223 P.3d 653 (2010).

Haw.—Schwartz v. State, 136 Haw. 258, 361 P.3d 1161 (2015).

Wash.—State v. Bliss, 191 Wash. App. 903, 365 P.3d 764 (Div. 2 2015).
- 8 § 104.
- 9 U.S.—V.L. v. E.L., 136 S. Ct. 1017 (2016).

Colo.—In Matter of Water Rights, 2015 CO 64, 361 P.3d 392 (Colo. 2015).

Fla.—Lucky Nation, LLC v. Al-Maghazchi, 186 So. 3d 12 (Fla. 4th DCA 2016).

Ill.—LVNV Funding, LLC v. Trice, 2015 IL 116129, 392 Ill. Dec. 245, 32 N.E.3d 553 (Ill. 2015).

Mich.—In re Gerald L. Pollack Trust, 309 Mich. App. 125, 867 N.W.2d 884 (2015).

Mont.—Commissioner of Political Practices for State ex rel. Motl v. Bannan, 2015 MT 220, 380 Mont. 194, 354 P.3d 601 (2015).

Wyo.—CSC Group Holdings, LLC v. Automation & Electronics, Inc., 2016 WY 26, 368 P.3d 302 (Wyo. 2016).
- 10 Ala.—Russell v. State, 51 So. 3d 1026 (Ala. 2010).

Conn.—Freedom of Information Officer v. Freedom of Information Com'n, 318 Conn. 769, 122 A.3d 1217 (2015).

Ky.—Patterson v. Winchester, 482 S.W.3d 792 (Ky. Ct. App. 2016).

Minn.—Federated Retail Holdings, Inc. v. County of Ramsey, 820 N.W.2d 553 (Minn. 2012).

Tex.—TV Azteca v. Ruiz, 44 Media L. Rep. (BNA) 1443, 2016 WL 766927 (Tex. 2016).

Utah—State v. Smith, 2014 UT 33, 344 P.3d 573 (Utah 2014).
- 11 Nev.—Landreth v. Malik, 251 P.3d 163, 127 Nev. Adv. Op. No. 16 (Nev. 2011).

S.D.—*March v. Thursby*, 2011 SD 73, 806 N.W.2d 239 (S.D. 2011).

Tenn.—*Turner v. Turner*, 473 S.W.3d 257 (Tenn. 2015).

Va.—*MacDougall v. Levick*, 66 Va. App. 50, 782 S.E.2d 182 (2016).

12 Nev.—*Landreth v. Malik*, 251 P.3d 163, 127 Nev. Adv. Op. No. 16 (Nev. 2011).

N.C.—*State v. Daniels*, 224 N.C. App. 608, 741 S.E.2d 354 (2012).

13 Neb.—*In re Trey H.*, 281 Neb. 760, 798 N.W.2d 607 (2011).

14 N.C.—*State v. Daniels*, 224 N.C. App. 608, 741 S.E.2d 354 (2012).

Ohio—*Rocky River v. Bakos*, 2015-Ohio-4366, 45 N.E.3d 668 (Ohio Ct. App. 8th Dist. Cuyahoga County 2015).

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